

EDP:RMP
F. #2022R00288

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

DAVID SCOTese,

Defendant.

----- X

THE GRAND JURY CHARGES:

COUNT ONE

(Operation of an Unlicensed Money Transmitting Business)

1. In or about and between January 2016 and May 2023, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DAVID SCOTese, together with others, did knowingly conduct, control, manage, supervise, direct and own all and part of an unlicensed money transmitting business which affected interstate and foreign commerce, to wit: a cryptocurrency exchange and cash transfer business, and while doing so failed to comply with the money transmitting business regulations and registration requirements under Title 31, United States Code, Section 5330, specifically by failing to register such business with the United States Department of Treasury, as required by law.

(Title 18, United States Code, Sections 1960(a), 2 and 3551 et seq.)

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
* MAY 31, 2023 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 23-CR-231
(T. 18, U.S.C., §§ 982(a)(1), 982(b)(1),
1956(a)(3)(B), 1960(a), 2 and 3551 et
seq.; T. 21, U.S.C., § 853(p))

Judge Joan M. Azrack

Magistrate Judge James M. Wicks

COUNT TWO
(Money Laundering)

2. In or about and between October 2021 and November 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DAVID SCOTese, together with others, did knowingly and intentionally conduct one or more financial transactions in and affecting interstate and foreign commerce, to wit: the exchange of cryptocurrency and transfer of United States currency, which transactions involved property represented by persons acting at the direction of, and with the approval of, a federal official authorized to investigate violations of Title 18, United States Code, Section 1956, to be the proceeds of specified unlawful activity and property used to conduct and facilitate specified unlawful activity, to wit: narcotics trafficking, in violation of Title 21, United States Code, Sections 841 and 846, with the intent to conceal and disguise the nature, location, source, ownership and control of property believed to be the proceeds of such specified unlawful activity.

(Title 18, United States Code, Sections 1956(a)(3)(B), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offenses to forfeit any property, real or personal, involved in such offenses, or any property traceable to such property.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL

M. J. A. S. A.

FOREPERSON

By C. Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

DAVID SCOTESE,

Defendant.

INDICTMENT

(T. 18, U.S.C. §§ 982(a)(1), 982(b)(1), 1956(a)(3)(B), 1960(a), 2 and
3551 et seq.; T. 21, U.S.C. § 853(p))

A true bill.



Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Robert M. Pollack, Assistant U.S. Attorney (718) 254-6232